Applicants: Chobotov, et al. Application No.: 10/640,368

Response to Election Requirement dated November 16, 2006

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REMARKS

This application is subject to an election requirement. The Examiner alleges that the claims are directed towards the following distinct species:

- I. A method of securing the flap to flexible material,
 - a) adhesive
 - b) thermo mechanical
- II Member configuration:
 - a) transversely oriented
 - b) circumferentially oriented
 - c) expandable.

Applicants provisionally elect species I (b) and II (a), i.e., I. a method of securing the flap to flexible material, (b) thermo mechanical; II. member configuration, (a) transversely oriented.

Applicants respectfully submit that claims 38, 39, 41-43, 45, 47, 48-51, 53, 62 and 63 read on Species I (b), II (a) as defined by the Examiner. Claims 62, 47, 48-51 and 53 are generic.

Furthermore, Applicants respectfully submit that any of the claims 46 and 54 that are directed to a non-elected species depend from the generic claim 62. Upon indication of allowance of the generic claim, Applicants respectfully request allowance of the claims directed towards the non-elected species.

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The Commissioner is hereby authorized to charge payment of any additional fees associated with this communication, or credit any overpayment, to Deposit Account No. 08-2461. Such authorization includes authorization to charge fees for extensions of time, if any, under 37 C.F.R § 1.17 and also should be treated as a constructive petition for an extension of time in this reply or any future reply pursuant to 37 C.F.R. § 1.136.

Should the Examiner have any questions, the Examiner is respectfully invited to contact the undersigned attorney at the telephone number set forth below.

Respectfully submitted,

John S. Sopko Reg. No. 41,321

Attorney for Applicants

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